

REMARKS

The present application has claims 1-19 pending.

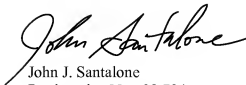
In a June 16, 2009 Restriction Requirement, the Examiner restricted the claimed invention among two allegedly distinct groups:

Group I - claims 1-9 and 17-19 directed to a catalyst containing gas diffusion layer; and
Group II - claims 10-16 directed to the process for producing a catalyst containing gas diffusion layer.

Although Applicants disagree with the Examiner's position, in order to advance prosecution of the present application, Applicants elect the first group, Claims 1-9 and 17-19, drawn to a catalyst containing gas diffusion layer, to prosecute at the present time in the subject application.

No fee is believed to be required in connection with the filing of this response. If any fee is deemed necessary, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 11-0171. If the Examiner has any questions regarding the present application, the Examiner is cordially invited to contact Applicants' attorney at the telephone number provided below.

Respectfully submitted,



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